I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail to: Mail Stop Amendment, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450

on 18 October 2004.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Rodolfo A. Morales

Application No.: 10/776,682

Filed: February 10, 2004

Title: Devices and Methods for Heart Valve Repair

Attorney Docket No.: GDS 1003-4

Examiner: Unassigned

Group: 3764

Confirmation No.: 3785

Customer No. 22470

## INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

It is requested that the information identified in this statement be considered by the Examiner and made of record in the above-identified application. This statement is not intended to represent that a search has been made or that the information cited in the statement is, or is considered to be, material to patentability as defined in 37 C.F.R. 1.56.

Since this is a continuation, divisional or continuation-in-part application, it is understood that the Examiner will consider all information which was considered by the Office in a parent application. MPEP 609.

Enclosed with this statement is a Form PTO/SB/08A. The Examiner is requested to initial the form and return it to the undersigned in accordance with M.P.E.P. 609.

Also enclosed with this statement is a copy of each cited document as required by 37 C.F.R. 1.98. However, since this application was filed after June 30, 2003, copies of U. S. Patents and U. S. Patent Application Publications are not enclosed. (See O. G. Notice of August 5, 2003.)

This statement should be considered under 37 C.F.R. 1.97(b) because it is being filed before the mailing date of the first Office Action on the merits.

Application No.: 10/776,682

Fee Authorization. The Commissioner is hereby authorized to charge underpayment of any additional fees or credit any overpayment associated with this communication to Deposit Account No. 50-0869 (GDS 1003-4). A duplicate copy of this authorization is enclosed.

Respectfully submitted,

Haynes Beffel & Wolfeld LLP

James F. Hann, Reg. No. 29,719

Date: 18 October 2004

James F. Hann Haynes Beffel & Wolfeld LLP P.O. Box 366; 751 Kelly Street Half Moon Bay, CA 94019 Ph. (650) 712-0340 Fax (650) 712-0263 jhann@hmbay.com

PTO/SB/08A (08-00)

Approved for use through 10/31/2002 OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE respond to a collection of information unless it contains a valid OMB control number.

Under the Paperwork Reduction Act of 1995 Substitute for form 1449A/PTO

## INFORMATION DECLOS STATEMENT BY ARPLI

(use as many sheets as necessary)

of Sheet

Complete if Known				
Application Number	10/776,682			
Filing Date	02/10/2004			
First Named Inventor	Rodolfo A. Morales			
Group Art Unit	3764			
Examiner Name	Unassigned			
Attorney Docket Number	GDS 1003-4			

				U.S. PATENT DOCL	JMENTS	Collinso Lines
xaminer	Cite No.1	U.S. Patent Docume  Kind C  Number  (if kno	ode <sup>2</sup>	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	A1	5,257,975		Foshee	11-02-1993	
	A2	5,522,873		Jackman et al.	06-04-1996	
	A3	5,752,518	$\neg$	McGee et al.	05-19-1998	
	A4	5,769,812		Stevens et al.	06-23-1998	
	A5	5,868,733		Ockuly et al.	02-09-1999	
	A6	5,885,238		Stevens et al.	03-23-1999	
	A7	5,888,240		Carpentier et al.	03-30-1999	
	A8	6,602,289		Colvin et al.	08-05-2003	
	A9	6,641,593		Schaller et al.	11-04-2003	
	A10	6,702,826		Liddicoat et al.	03-09-2004	
	A11	6,718,985		Hlavka et al.	04-13-2004	
	A12	2002/0138044	A1	Streeter et al.	09-26-2002	
	A13	2003/0078603	A1	Schaller et al.	04-24-2003	
	A14	2003/0093118	A1	Ho et al.	05-15-2003	
	A15	2003/0033110	A1	Vidlund et al.	07-10-2003	
	A16	2003/019974	_	Lee et al.	10-23-2003	
	A17	2003/01////	1.3.3			
<u> </u>	A17					
<b>}</b>			<del>                                     </del>			
L	A19 A20		<del>                                     </del>			

				FOR	EIGN PATENT DOCUMENT	S		
Examiner Initials*	Cite 1	Office <sup>3</sup>	Foreign Patent Docur		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T6
Illiudis		WO	98/07375	(,, ,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	Trustees of Columbia U.	02-26-1998		$\Box$
	B1 B2	wo	02/03892		Paul A. Spence	01-17-2002		4-
	B3							┿
	B4							$\top$
	B5							+-
	B6		•					+-
	B7					<del> </del>		+
	B8					<u> </u>		+-
	В9					<del> </del>		+
	B10							_

		_
	Date	
Examiner	Considered	
Signature	The state of parties if not in conformance a	

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U. S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>&</sup>lt;sup>1</sup> Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. Patent Documents. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

Please type a plus sign (+) inside this box	Please type a plus sign (+) inside this box →	+
---	---	---

2

Sheet

Examiner

of

PTO/SB/08B (08-00)
Please type a plus sign (+) inside this box 

+ 

Approved for use through 10/31/2002. OMB 0651-0031
U. S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

•			no persone are required to	Complete if Known		
	te for form 1449B/F			Application Number	10/776,682	
INFO	RMATIC	D NC	ISCLOSURE	Filing Date	02/10/2004	
STATEMENT BY APPLICANT				First Named Inventor	Rodolfo A. Morales	
				Group Art Unit	3764	
	luse as man	ıv sheets	as necessary)	Examiner Name	Unassigned	
T	2	1-4	2	Attorney Docket Number	GDS 1003-4	

	-	OTHER PRIOR ART NON PATENT LITERATURE DOCUMENTS	
Examiner Initials*	Cite No.1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T²
	C1	"Anatomical Landscape of Heartport Technology", Heartport Common Stock Prospectus, April 25, 1996, pp. 158-159.	
		NAGY, ZSOLT L. et al., "Mitral annuplasty with a suture technique", European Journal of Cardio-thoracic Surgery 18 (2000) p. 739.	
	C3	SHUMWAY, SARA J. et al., "A "Designer" Annuplasty Ring for Patients with Massive Mitral Annular Dilation", Ann Thorac Surg, Dec. 1988, 46:695-696.	
,			
		·	
	1		
			$\perp$

Signature	Considered	<u> </u>
*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 6 considered. Include copy of this form with next communication to applicant.	09. Draw line thro	ugh citation if not in conformance and no

Date

Considered

<sup>&</sup>lt;sup>1</sup> Unique citation designation number. <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.